

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**SOUTHEASTERN PENNSYLVANIA
TRANSPORTATION AUTHORITY,
Plaintiff,**

v.

**DRUMMOND DECATUR AND STATE
PROPERTIES, LLC,
Defendant.**

CIVIL ACTION

NO. 21-4212

ORDER

AND NOW, this 15th day of March, 2022, upon consideration of Defendant's Motion to Dismiss Plaintiff's Complaint (ECF No. 12), Plaintiff's Response in Opposition (ECF No. 18), and Defendant's Reply (ECF No. 19), it is **HEREBY ORDERED** that Defendant's Motion is **GRANTED** as to SEPTA's separate cause of action for breach of the covenant of good faith and fair dealing (Count VII) and **DENIED** in all other respects.

BY THE COURT:

/S/WENDY BEETLESTONE, J.

WENDY BEETLESTONE, J.